



# MAIL ORDER MERCHANDISE



Ordering merchandise by mail can be a convenient way to save time, energy, and sometimes save money. It is also a way to buy an article that you cannot find locally. However, if your merchandise arrives late or not at all, you have certain rights of redress against the seller.

The Federal Trade Commission has a rule called the Trade Regulation Rule Concerning Mail Order Merchandise that is intended to protect consumers who shop by mail. This rule is designed to ensure that consumers receive mail order merchandise in a timely manner. It is also designed to ensure that there is prompt action to fill the order or to offer the consumer the right to cancel and to obtain a prompt refund if there is a delay. Under the mail order merchandise rule:

- A seller must ship your order when promised, or, if no specific date is indicated, within 30 days of receiving the order.
- If the shipping date cannot be met, the seller must give the buyer written notice of the option of accepting a new shipping date, or canceling the order and receiving a prompt refund.
- If a prepaid order is cancelled the seller must mail your refund within seven business days. If you charged your purchase, the seller must adjust your account within one billing cycle.

The rule does not apply to services such as:

- Mail order photo finishing
- Magazine subscriptions and other serial deliveries other than the initial shipment.
- Mail order seeds and growing plants
- "Collect on delivery" orders
- Credit orders, where the buyer's account is not charged prior to shipment of the merchandise
- Sales under the negative option plans, where you must notify the seller of your intent not to purchase.

Whenever you shop by mail, you should take some important precautions. Read the product description carefully. Pictures in catalogs are intended to sell the product, and may make it appear larger or more desirable than it really is. Be sure to note the promised delivery or shipment time, so that an item does not arrive after the intended birthday or holiday. Make sure you always read the seller's return policy carefully. If it not stated, ask before ordering. Complete the order form as directed. IF the order form is not complete, or if it is improperly filled out, your order may be delayed. The time limits for shipment in the rule do not begin to run until the seller has received a properly completed order form. Finally, make a note of the merchant's name, address, and the date you sent the order, and keep copies of the order form and advertisement, as well as cancelled checks and charge account records.

If you have a complaint against a mail order company, your first step should be to write the company, explaining the problem and the desired remedy. If you cannot resolve the problem directly with the company, contact the Legal Assistance Office in your area for further action and assistance.

Yongsan Client Legal Services Office, Bldg 4106, room 229 (ACS building). Please call 738-6841 for an appointment. Office hours: M, Tu, W, F 0900-1600 and Th 1300-1500.